

AMENDED IN SENATE JULY 12, 2005

AMENDED IN SENATE JUNE 27, 2005

AMENDED IN ASSEMBLY MAY 27, 2005

AMENDED IN ASSEMBLY APRIL 27, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1547

Introduced by Assembly Member Levine

February 22, 2005

An act to add Section 709.1 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 1547, as amended, Levine. Telecommunications: communications companies: state policies.

Existing law, the Public Utilities Act, sets forth the findings and declarations of the Legislature regarding described policies for telecommunications in California.

~~This bill would include within those policies the promotion of the rapid deployment of new communication technologies, the creation of fair and balanced rules for all communications companies in order to encourage competition, the provision of fair treatment of consumers by providing information so that consumers may make informed decisions, the promotion of long-term investment in the infrastructure of communication technologies resulting in corresponding economic and social benefits to society, and the assurance that local governments continue to be the stewards of the public's right-of-way state the intent of the Legislature to establish rules for the provision of communications services that encourage fair competition.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) California's regulatory paradigm for telephone services
4 and for video services has been in place for over 50 years and
5 does not account for new technologies that allow video, voice,
6 and data to be delivered using a number of different technologies.

7 (b) Today, traditional cable companies provide voice and data
8 services along with video service; traditional telephone
9 companies provide video and data service along with voice
10 service; and new companies can use electric power lines,
11 satellites, and wireless technologies to deliver video, voice, and
12 data services.

13 (c) With these changes in technology, companies can no
14 longer be considered telephone companies, cable companies, and
15 data providers, but instead need to be labeled as communications
16 companies.

17 (d) The public interest is served when there is widespread
18 access to multiple providers that are competing fairly to offer
19 communication services to consumers.

20 (e) Fair competition requires a level playing field with respect
21 to state-mandated obligations.

22 (f) It is the intent of the Legislature to establish rules for the
23 provision of communications services that encourage fair
24 competition.

25 ~~SEC. 2. Section 709.1 is added to the Public Utilities Code, to~~
26 ~~read:~~

27 ~~709.1. The Legislature hereby finds and declares that the~~
28 ~~policies for telecommunications in California are as follows:~~

29 ~~(a) To promote the rapid deployment of new communication~~
30 ~~technologies, but to create fair and balanced rules for all~~
31 ~~communications companies that do not act as barriers for new~~
32 ~~entrants into communications markets.~~

33 ~~(b) To maintain the state's commitment to public goods~~
34 ~~programs, including universal service and access to public,~~
35 ~~educational, and governmental video programming.~~

1 ~~(e) To encourage the fair treatment of consumers through the~~
2 ~~provision of sufficient information to make informed choices, the~~
3 ~~establishment of reasonable service quality standards, and the~~
4 ~~establishment of processes for equitable resolution of billing and~~
5 ~~service problems.~~

6 ~~(d) To ensure that consumers have access to basic services,~~
7 ~~without having to purchase bundled products and service they do~~
8 ~~not want.~~

9 ~~(e) To promote economic growth, job creation, and substantial~~
10 ~~social benefits that will result from the rapid implementation of~~
11 ~~advanced information and communication technologies by~~
12 ~~adequate long-term investment in necessary infrastructure.~~

13 ~~(f) To promote lower prices, broader consumer choice, and the~~
14 ~~avoidance of noncompetitive conduct.~~

15 ~~(g) To remove the barriers to open and competitive markets~~
16 ~~and promote fair product and price competition in a way that~~
17 ~~encourages greater efficiency, lower prices, and more consumer~~
18 ~~choice.~~

19 ~~(h) To ensure that local governments are not harmed by~~
20 ~~advances in technology or changes in the regulatory structure.~~

21 ~~(i) To ensure that local governments continue to be the~~
22 ~~stewards of the public's right-of-way.~~